

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. 1:16-CR-42
	:	
v.	:	(Chief Judge Conner)
	:	
WEN ZHOU,	:	
	:	
Defendant	:	

ORDER

AND NOW, this 18th day of September, 2017, upon consideration of the motion (Doc. 257) filed *pro se* by defendant Wen Zhou (“Zhou”), seeking to dismiss the indictment, and the government’s responsive motion (Doc. 275) seeking to dismiss Zhou’s motion (Doc. 257) to dismiss the indictment, and it appearing that Zhou is represented by counsel but filed the instant motion (Doc. 257) without assistance therefrom, see United States v. D’Amario, 268 F. App’x 179, 180 (3d Cir. 2008) (collecting cases); see also United States v. Vampire Nation, 451 F.3d 189, 206 n.17 (3d Cir. 2006) (citing United States v. Essig, 10 F.3d 968, 973 (3d Cir. 1993)), it is hereby ORDERED that:

1. The government’s motion (Doc. 275) to dismiss Zhou’s motion (Doc. 257) to dismiss the indictment is GRANTED.
2. Zhou’s motion (Doc. 257) to dismiss the indictment is DENIED without prejudice to Zhou’s right to refile the motion with the assistance of counsel or at such time that the court grants Zhou permission to proceed *pro se* in the above-captioned matter.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania